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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,013	11/02/2001	Stephen G. Price	BLD920010005US1	3334
50441 7590 11/24/2008 DUFT BORNSSEN & FISHMAN, LLP 1526 SPRUCE STREET SUITE 302 BOULDER, CO 80302				
EXAMINER				
TANG, KARIN C				
ART UNIT		PAPER NUMBER		
2451				
MAIL DATE		DELIVERY MODE		
11/24/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/003,013

**Applicant(s)**

PRICE ET AL.

**Examiner**

KAREN C. TANG

**Art Unit**

2451

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 August 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3,5-8,10-12,14,16-19,21,22,24,26-29,31 and 33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,5-8,10-12,14,16-19,21,22,24,26-29,31 and 33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

- This action is responsive to the amendment and remarks file on 08/11/08.
- Claims 1, 3, 5- 8, 10-12, 14, 16-19, 21, 22, 24, 26-29, 31-33 are presented for further examination.
- Claims 4, 15, 25 are cancelled.

### **DETAILED ACTION**

#### ***Response to Arguments***

Applicant's arguments filed 4/17/08 have been fully considered but they are not persuasive.

Applicant argues that Garcia does not teach or suggest that the generating step is in response to an operating parameter within the printer changing independently of input from an operator.

In response:

Garcia teaches the "generating step is in response to an operating parameter within the printer changing independently of input from an operator" in par 0021, 0031 and 0032.

Therefore, the ground of rejection is maintained.

#### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 22, 24, 26-29, and 31 are rejected under 35 U.S.C. 101 because in Claim 22, the claim limitation does not (1) tied to another statutory class and transform underlying subject matter

\*such as an article or materials) to a different state or thing. Therefore, the claimed invention is directed to non-statutory subject matter.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3, 8, 10, 11, 12, 14, 19, 21, 22, 24, 29, 31, and 33 are rejected under 35 U.S.C. 102(e) as being anticipated by Garcia et al hereinafter Garcia (US2003/0048470).

1. Referring to Claims 1, 11, 12, 22 and 33, Garcia disclosed a HyperText Transport Protocol (HTTP) data generator within printer (the printer must have generator in order to interpret the HTTP data that the web browser receive from the internet, refer to 0016 and 0017), for including status information of the printer in HTTP data for transmission to a HTTP browser on a remote terminal (various computers can perform tasks with the printer, refer to 0020, 0021, and 0033) in response to an operating parameter within the printer changing independently of input from an operator (refer to 0021, and 0031, 0032), wherein the HTTP browser on the remote terminal provides access to the printer status information (status information can be emailed to the recipient, refer to 0033); a HTTP browser within the printer, communicatively coupled to the

HTTP data generator, for interpreting the HTTP data generated for the HTTP browser on the remote terminal for display of the printer status information on a display integral with the printer (in order to generate email or a simple communication (refer to 0038 and 0020), HTTP protocol as indicate in 0016 and 0017, must work with generator in order interpreting the HTTP data, and in order to sent out information such as status information); and a display integral to the printer (refer to 0030), for displaying the printer status information to an operator of the printer (refer to 0033).

2. Referring to Claims 8 and 19, Garcia indicates accepting an operator input for the printer through means associated with the operator interface display, and controlling a function within the printer in response to the operator input (user enter commands, refer to 0017).
3. Referring to Claim 10, 21, 24, and 31, Garcia indicates wherein the step of accepting utilizes at least one of a pointing device, a keyboard, handwriting recognition, and a touch screen input (touch screen, refer to 0015).
4. Referring to Claim 29, Garcia indicates accepting an operator input associated with the display integrated to the printer; and controlling a function within the printer in response to the operator input (refer to 0015).

5. Referring to Claims 3, and 14, Garcia indicates wherein the HTTP data further includes data for one or more of a video, an image, a sound file, and an animation display (video, refer to 0015).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5-7, 16-18, and 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Garcia et al hereinafter Garcia (US2003/0048470) in view of Parry (US 2002/0196460).

6. Referring to Claims 5, 16, and 26, Garcia indicates wherein the operating parameter (refer to Fig, settings).

Garcia is silent in regards "operating parameter is categorized as at least one of a priority parameter, a paper jam indicator and an out of paper indicator."

Parry disclosed "operating parameter is categorized as at least one of a priority parameter, a paper jam indicator and an out of paper indicator." (Priority, refer to 0053).

Hence, providing functions disclosed by Parry, would be desirable for a user to implement in order to allow increased control over print jobs which are pending and which have been processed and stored by a printer.

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the system of Garcia by including the features disclosed by Parry.

7. Referring to Claim 6, 17, and 27, Garcia disclosed wherein the step of generating the HTTP data (refer to 0016)

Although Garcia disclosed the invention substantially as claim, Garcia is silent in regards to “the HTTP data is performed periodically with a time period”.

It is obvious of ordinary skill in the art that in order to retrieve web information such as by utilizing URL of a particular web page, the browser constantly update the HTTP data which is performed periodically with a time period.

8. Referring to Claims 7, 18, and 28, Garcia disclosed accessing the internet via web browser (refer to 0017).

It is obvious of ordinary skill in the art that when by the time the web browser polls the HTTP data from the internet destination, and the destination is no longer available, it would provides the browser with an error information.

### ***Conclusion***

**Examiner's Notes:** Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is

respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner. In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen C. Tang whose telephone number is (571)272-3116. The examiner can normally be reached on M-F 7 - 3.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571)272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/K. C. T./  
Examiner, Art Unit 2451

/John Follansbee/  
Supervisory Patent Examiner, Art Unit 2451